



TO: Colleen Sinclair, Recycling Coordinator  
Sustainability Commission

FROM: Parker Evans, Economic Development Intern  
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SUBJECT: Native Planting Ordinance

DATE: September 11, 2015

## **Introduction**

The City of Coon Rapids has not yet codified a policy regarding native planting, and some confusion exists among residents regarding the difference between an intentional native landscape and a poorly managed yard. Other suburbs in the metro area have adopted ordinances specifically addressing the issue of native planting in an effort to clarify and encourage the practice.

This memo identifies potential strategies from a survey of Coon Rapids' peer cities, recommends elements that Coon Rapids might include in a native planting ordinance, and volunteers some initial language that the City can use as a starting point.

## **Native Planting Ordinance Survey and Best Practices**

Setting and enforcing standards for management of private greenery enhances the aesthetic appeal of neighborhoods, contributes to property values, and reinforces environmental health citywide. Native planting, in which plants indigenous to Minnesota are reintroduced and managed, provides more benefits than a traditional turf-grass lawn. Native vegetation encourages water conservation, aids pollinators, and requires less usage of harmful fertilizers or pesticides—all while adding diversity to the city's landscapes.

As of September 2015, Coon Rapids does not have an ordinance in place to adequately address native planting. The current weed and lawn care ordinance (8-500) limits weeds or grass to eight inches throughout nearly the entire city, and wide discretion is granted to the weed inspector to declare a nuisance. Under the current ordinance, a resident wishing to install native planting or alternative landscaping would have to successfully argue that plants over eight inches do not constitute a detriment to the convenience or comfort of residents, nor contribute to an undefined "*general aesthetic depreciation*".

The most important categorical decision in implementing a native planting ordinance is determining whether the City should issue permits for native planting areas, and if so, how detailed the permits and application process should be. The cities of Fridley and Burnsville do not have a specific permitting process in place, but instead define native planting areas (which are exempt from normal height restrictions) in their weed/lawn ordinances. While this approach removes some administrative burdens from city staff at the front desk, it makes the weed inspectors' jobs more difficult. Moreover, a lack of formal permit may suggest to residents who are unfamiliar with complicated landscaping that the maintenance required by a native planting area is trivial, which could lead to abandoned or poorly-managed areas. Finally, no formal registration leaves city staff in the dark as to where these areas exist, which can lead to confusion with concerned neighbors.

Conversely, the city could require a permit to install alternative landscaping. The cities of Golden Valley and Eden Prairie have adopted this approach. In both of these cities, the permit application is quite complicated and involved, and may not be possible to complete without a licensed landscape architect. If the stated goal of the ordinance is to increase landscape diversity, assist pollinators, and encourage water conservation, it may not be prudent to introduce a cost barrier that would preclude a large portion of the population from installing native landscaping. Moreover, an elaborate permit and application process would place a significant burden on city staff, who would need to review applications, issue permits, inspect sites, manage records, collect payments and handle renewals.

Coon Rapids should search for a model that empowers the city to be aware of native landscaping sites, yet doesn't impose overly large barriers to installing such sites. One possible model is a simpler and more noninvasive pseudo-permit system. The City of Brooklyn Park requires "Managed Natural Landscapes" to be identified by a small sign advising curious residents that the land is being returned to native vegetation. This sign requirement could be an opportunity for the City of Coon Rapids to require that native planting areas be identified by a *city-issued sign* at little or no cost. This necessitates a trip to City Hall, which provides a barrier low enough that anyone can participate, but high enough that a resident must be thoughtful enough to actively pursue native landscaping (as opposed to simply claiming an unkempt turf-grass lawn as "native landscaping"). Moreover, issuing a sign presents an opportunity for city staff to issue literature and answer questions regarding native landscaping and proper maintenance to interested residents. Finally, the City can keep records of which properties were issued signs, which may help staff to inform confused or concerned neighbors.

**Sample ordinance outline for edits:**

- a) A Native Landscaping Area is a planned, intentional and maintained designated area where native plants are being or have been planted.
- b) Native plants are grasses, wildflowers, forbs, ferns, shrubs that are plant species native to or naturalized to the state of Minnesota, excluding prohibited exotic species, as defined by Minnesota Statutes Chapter 84D. Native plants do not include weeds.
- c) Native Landscaping Areas must be maintained so as not to include unintended vegetation.
- d) Native Landscaping Areas shall not include turf-grass lawns left unattended for the purpose of returning to a natural state.
- e) Native Landscaping Areas may not include any plantings, which due to location and manner of growth, constitute a hazard to the public or may cause injury or damage to persons or property when such growth is in violation of other applicable sections of city code.
- f) Native Landscaping Areas must be set back not less than four feet from the side and/or rear lot lines. No set back is required on the side or rear lot lines if:
  - 1) There is a fully opaque fence at least four feet in height installed between the native plants and the side or rear lot lines OR

2) The Native Landscaping Area abuts a neighboring Native Landscaping Area

g) Native Landscaping Areas must have a sign posted on the property in a location likely to be seen by the public, advising that a Native Landscaping Area is being established. This sign must be issued by the City.